

1 JOSEPH P. RUSSONIELLO (CABN 44332)  
2 United States Attorney

3 BRIAN STRETCH (CABN 163973)  
4 Chief, Criminal Division

5 LARA M. KROOP (CABN 239512)  
6 Special Assistant United States Attorney

7 450 Golden Gate Avenue  
8 San Francisco, California 94102  
9 Telephone: (415) 436-7129  
10 Facsimile: (415) 436-7234  
11 E-Mail: Lara.Koop2@usdoj.gov

12 Attorneys for the United States

13  
14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA  
16 SAN FRANCISCO DIVISION

17 UNITED STATES OF AMERICA, ) Criminal No. CR 08-0260 PJH  
18 Plaintiff, )  
19 v. )  
20 SCOT ALLAN BEANE )  
21 Defendant. )  
22 \_\_\_\_\_)

**[PROPOSED] ORDER AND  
STIPULATION EXCLUDING TIME  
FROM APRIL 28, 2008 TO MAY 7, 2008**

23 The parties appeared before the Honorable James Larson on April 28, 2008.

24 With the agreement of counsel for both parties, the Court found and held as follows:

25 1. The parties agree to an exclusion of time under the Speedy Trial Act, 18 U.S.C. §  
26 3161, from April 28, 2008 to May 7, 2008, in light of the need for the defendant's counsel to  
27 review discovery. Failure to grant the requested continuance would unreasonably deny defense  
counsel reasonable time necessary for effective preparation, taking into account the exercise of  
due diligence and the need for counsel to review the discovery with the defendant.

28 **[PROPOSED] ORDER AND  
STIPULATION EXCLUDING TIME  
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1           2. Given these circumstances, the Court found that the ends of justice served by  
2           excluding the period from April 28, 2008 to May 7, 2008 outweigh the best interest of the public  
3           and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).

4           3. Accordingly, and with the consent of the defendant, the Court ordered that the period  
5           from April 28, 2008 to May 7, 2008 be excluded from Speedy Trial Act calculations under 18  
6           U.S.C. § 3161(h)(8)(A) & (B)(iv).

7           IT IS SO STIPULATED.

9           DATED: 4/28/08

10           \_\_\_\_\_  
11           /s/  
12           EDWARD AUSTIN SMOCK  
13           Counsel for Scot Allan Beane

12           DATED: 4/28/08

13           \_\_\_\_\_  
14           /s/  
15           LARA M. KROOP  
16           Special Assistant United States Attorney

17           IT IS SO ORDERED.

17           DATED: April 29, 2008

18           \_\_\_\_\_  
19           THE HON. JAMES LARSON  
20           United States Magistrate Judge  
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[PROPOSED] ORDER AND  
STIPULATION EXCLUDING TIME  
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